



House Bill 330 Sponsor Testimony

Representative Tom Patton

Chairman Brinkman, Vice Chair Antani, Ranking Member Boggs, and members of the Insurance Committee, thank you for allowing me to testify on behalf of House Bill 330.

Back in the 131st General Assembly, I was the proud sponsor of the Michael Louis Palumbo, Jr. Act (Senate Bill 27) that provides workers' compensation to firefighters with cancer that presumably was incurred while performing their official duties. Firefighters are exposed to a vast number of carcinogens and therefore, suffer from an increased risk of certain types of cancers. A NIOSH (National Institute for Occupational Safety and Health) cancer study found that firefighters have a 14% increased risk of dying from cancer compared to the rest of the general public.

As of March 31, 2019, 115 individual firefighters have filed a total of 124 presumptive cancer claims. The BWC found the presumption was met in 87 claims and not met in 37 claims.

Unfortunately, many of these claims have been bogged down in appeals process. Either the firefighter or the employer has appealed the BWC's decision in 86 of the 124 determinations made to date. Michael Palumbo's family has yet to receive compensation and Senate Bill 27 was named after him. It was never the legislative intent of the bill to have firefighters go through countless appeals and wait years to receive the compensation and benefits they rightfully deserve.

The reason municipalities have fought most of these claims is that these claims would raise their BWC premiums and group rating. House Bill 330 would alleviate

their concerns by simply charging all compensation and benefits to the BWC surplus fund. Thus, municipalities would be held harmless for this unique situation.

Municipalities nor firefighters cannot prevent what they are exposed to in any situation. These firefighter presumptive cancer claims are unavoidable. Firefighters are due proper compensation if they should be unfortunate enough to contract one of the specific types of cancers that firefighters stand at increased risk for.

Thank you, Mr. Chairman and members of the committee, for the opportunity to speak to you today in support of House Bill 330 and I am happy to answer any questions you may have.